



Order Filed on April 30, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)

STERN, LAVINTHAL & FRANKENBERG, LLC
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Attorney for Secured Creditor,
Carrington Mortgage Services, LLC as servicer for
Bank of America, N.A.

In Re:

Praveen K Andapally

Debtor

Case No.: 19-10108-KCF

Chapter: 13

Hearing Date: March 13, 2019

Judge: Kathryn C. Ferguson

ORDER RESOLVING MOTION TO VACATE STAY WITH CONDITIONS

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby **ORDERED**.

DATED: April 30, 2019


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Applicant: Carrington Mortgage Services, LLC as servicer for
Bank of America, N.A.
Applicant's Counsel: Stern Lavinthal & Frankenberg, LLC
Debtors' Counsel: Harrison Ross Byck, Esq.
Property Involved ("Collateral"): 310 Green Hollow Dr., Woodbridge, NJ 08830

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Debtors must cure arrearages, as follows:

- Debtor shall file an Amended Chapter 13 Plan to provide for full payment of Creditor's Proof of Claim, Claim No. 4, which was filed on March 5, 2019 with a secured claim amount of \$26,370.74.
- An immediate payment shall be made in the amount of \$5,000.00. Payment shall be made no later than April 15, 2019.
- The balance of arrears is to be paid through the Debtor's Chapter 13 plan over 60 months.

3. In the event of Default:

- ✓ If the Debtor fails to make Trustee payments within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.
- If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

4. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorneys' fees of \$350.00, and costs of \$181.00.

The fees and costs are payable:

- ✓ through the Chapter 13 plan.
- ☐ to the Secured Creditor within _____ days.
- ☐ Attorneys' fees are not awarded.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Praveen K Andapally
Debtor

Case No. 19-10108-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: May 01, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 03, 2019.

db +Praveen K Andapally, 6 Richard Road, Edison, NJ 08820-3028

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 03, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 1, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Amy Forman on behalf of Creditor Green Hollow Condominium Association
collections@theassociationlawyers.com

Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,
bkggroup@kmlawgroup.com

Harrison Ross Byck on behalf of Debtor Praveen K Andapally lawfirm@kasuribyck.com,
kasuribyck@ecf.courtdrive.com;financial@kasuribyck.com

Maria Cozzini on behalf of Creditor Carrington Mortgage Services, LLC as servicer for Bank
of America, N.A. mcozzini@sternlav.com

Maria Cozzini on behalf of Creditor CARRINGTON MORTGAGE SERVICES, LLC mcozzini@sternlav.com
Melissa N. Licker on behalf of Creditor Wilmington Savings Fund Society, FSB, doing business
as Christiana Trust, not in its individual capacity, but solely as trustee for BCAT 2015-14BTT
NJ_ECF_Notices@mccalla.com

Phillip Andrew Raymond on behalf of Creditor Fay Servicing, LLC, as servicer for Wilmington
Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity,
but solely as trustee for BCAT 2015-14BTT phillip.raymond@mccalla.com

Rebecca Ann Solarz on behalf of Creditor BANK OF AMERICA, N.A. rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10